

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

HONEYWELL INTERNATIONAL INC.)	
and HONEYWELL INTELLECTUAL)	
PROPERTIES INC.,)	
)	C.A. No. 04-1338-KAJ
Plaintiffs,)	(consolidated)
v.)	
)	JURY TRIAL DEMANDED
APPLE COMPUTER, INC., <i>et al.</i> ,)	
)	
Defendants.)	

**NOTICE OF DEPOSITION OF PLAINTIFF
HONEYWELL INTERNATIONAL INC. (LACHES)**

TO: COUNSEL IDENTIFIED ON ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure and pursuant to Delaware Local Rules 30.1 through 30.5, Defendants Hitachi Displays, Ltd., Optrex America, Inc., Fuji Photo Film Co., Ltd. (now FUJIFILM Corporation), Fuji Photo Film U.S.A., Inc. (now FUJIFILM U.S.A., Inc.), TPO Displays Corporation (formerly known as "Toppoly Optoelectronics Corp.), Wintek Electro-Optics Corporation, Wintek Corporation and Arima Display Corporation will take the deposition upon oral examination of plaintiff Honeywell International Inc. ("HII"), and specifically the witness or witnesses designated by HII as officers, managing agents, directors, agents, employees or other person(s) who are most knowledgeable and can testify on its behalf with respect to each of the categories identified in Appendix A hereto, commencing at 9:30 A.M. on November 29, 2006, and proceeding day-to-day until complete, before a notary public or other officer duly authorized to administer oaths at Potter Anderson & Corroon LLP, Hercules Plaza, 6th Floor, 1313 N. Market Street,

Wilmington, DE 19899-0951, or such other location as mutually agreed upon by counsel. The deposition will also be videotaped.

PLEASE TAKE FURTHER NOTICE that HII is requested to identify, on or before November 15, 2006, its designated witnesses and the matters to which each will testify.

You are invited to attend and cross-examine.

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Dated: October 27, 2006

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APPENDIX A

Definitions

- A. “HII” shall mean plaintiff Honeywell International Inc., and all divisions, departments, subsidiaries (whether direct or indirect), parents, affiliates, acquisitions, predecessors and entities controlled by any of them, whether domestic or foreign, including but not limited to, Allied Corporation, Bendix Corp., Honeywell Inc., Allied-Signal, and/or AlliedSignal and their respective present or former officers, directors, employees, owners, attorneys and agents, as well as consultants and any other persons acting or purporting to act on behalf of each such entity or person.
- B. “HDL” shall mean defendant Hitachi Displays, Ltd. and all divisions, departments, subsidiaries (whether direct or indirect), parents, affiliates and predecessors, whether domestic or foreign, including, but not limited to stayed defendants Hitachi, Ltd.; Hitachi Display Devices, Ltd.; and Hitachi Electronic Devices (USA), Inc.
- C. “Optrex” shall mean Optrex America, Inc. and all divisions, departments, subsidiaries (whether direct or indirect), parents, affiliates and predecessors, whether domestic or foreign.
- D. “Fujifilm” shall mean Fuji Photo Film Co., Ltd. (now FUJIFILM Corporation), Fuji Photo Film U.S.A., Inc. (now FUJIFILM U.S.A., Inc.) and all divisions, departments, subsidiaries (whether direct or indirect), parents, affiliates and predecessors, whether domestic or foreign.
- E. “TPO Displays” or “TPO Displays Corp.” means defendant TPO Displays Corporation, its parents, predecessors in interest including Toppoly Optoelectronics

Corporation, subsidiaries, joint ventures, and other legal entities that are wholly or partially owned or controlled by TPO Displays, either directly or indirectly, and the principals, directors, officers, owners, members, representatives, employees, agents, consultants, accountants, and attorneys of these same entities.

F. “Wintek Electro-Optics Corp.” or “WEOC” means defendant Wintek Electro-Optics Corporation, its parents, predecessors in interest, subsidiaries, joint ventures, and other legal entities that are wholly or partially owned or controlled by WEOC, either directly or indirectly, and the principals, directors, officers, owners, members, representatives, employees, agents, consultants, accountants, and attorneys of these same entities.

G. “Wintek” or “Wintek Corp.” means defendant Wintek Corporation, its parents, predecessors in interest, subsidiaries, joint ventures, and other legal entities that are wholly or partially owned or controlled by Wintek, either directly or indirectly, and the principals, directors, officers, owners, members, representatives, employees, agents, consultants, accountants, and attorneys of these same entities.

H. “Arima Display” shall mean Arima Display Corporation and all divisions, departments, subsidiaries (whether direct or indirect), parents, affiliates and predecessors, whether domestic or foreign.

I. “LCD” shall mean liquid crystal display.

J. “’371 patent” shall mean U.S. Pat. No. 5,280,371.

K. “LCD Module” shall mean an LCD including a liquid crystal panel and other components for incorporation into another product to provide a viewable image to a user.

L. “LCD Products” shall mean an LCD module and/or a product incorporating an LCD module, where such product is one of laptop computers, cellular phones, PDAs, digital still cameras, video cameras, portable DVD players, and portable televisions, and/or portable game systems, and all similar products.

M. “LCD Technology” shall mean technology related to the structure of LCDs and LCD Modules and the components thereof.

N. “Others” shall mean any entity other than HII.

Topics

1. HII’s efforts to monitor the growth of the United States market for LCD Products from January 1, 1994, through October 6, 2004.

2. HII’s knowledge of LCD Products made, used, imported, marketed or sold in or into the United States by others before October 6, 2004.

3. HII’s consideration, review or analysis of LCD Products made, used, imported, marketed or sold in or into the United States by others before October 6, 2004.

4. HII’s possession, custody or control of documents related to and/or reflecting LCD Products made, used, imported, marketed or sold in or into the United States by others before October 6, 2004.

5. HII's efforts to determine and/or monitor potential infringements of its patents relating to LCD Technology, including, but not limited to the '371 patent, from January 1, 1994, through October 6, 2004.
6. HII's knowledge before October 6, 2004, of the use, sale, offer for sale, importation, and manufacture of films, including but not limited to 3M films, that HII contends are for providing a predetermined variation with viewing angle when used in LCD products, and all communications and other documents reflecting such knowledge.
7. The decision to initiate and the initiation of HII's efforts to license and/or enforce any of HII's patents relating to LCD Technology, including, but not limited to the '371 patent.
8. HII's possession, custody or control, at any time, of documents related to and/or reflecting research and development on LCD Technology that led to the filing of the '371 patent (including documents created by or for the inventors such as inventor's notebooks and documents containing technical data reported in the '371 patent) and the destruction or discarding of any such documents.
9. HII's possession, custody or control, at any time, of documents concerning prosecution of the '371 patent), and the destruction or discarding of any such documents.
10. HII's possession, custody or control, at any time, of documents related to or reflecting the decision not to file the application for the '371 patent until July 9, 1992, and/or the decision to prepare and ultimately file that application on July 9, 1992, and the destruction or discarding of any such documents.

11. HII's document retention policies from 1992–2005.

Specific to HDL

12. HII's first actual knowledge that HDL makes, uses and/or sells LCD Products in the United States and/or imports LCD Products into the United States.

13. HII's first actual knowledge of any product HDL makes, uses, sells and/or imports into the United States that HII alleges infringes the '371 patent.

14. All efforts by HII to investigate whether HDL's LCD Products infringe the '371 patent.

15. HII's first notification to, and all consideration given by HII at any time to notifying, HDL of alleged infringement of the '371 patent.

16. All of the reasons or excuses why HII did not bring suit against HDL prior to November 7, 2005.

17. All facts supporting or rebutting HDL's laches defense.

Specific as to Optrex

18. HII's first actual knowledge that Optrex makes, uses and/or sells LCD Products in the United States and/or imports LCD Products into the United States.

19. HII's first actual knowledge of any product Optrex makes, uses, sells and/or imports into the United States that HII alleges infringes the '371 patent.

20. All efforts by HII to investigate whether Optrex's LCD products infringe the '371 patent.

21. HII's first notification to, and all consideration given by HII at any time to notifying, Optrex of alleged infringement of the '371 patent.

22. All of the reasons or excuses why HII did not bring suit against Optrex.

23. All facts supporting or rebutting Optrex's laches defense.

Specific as to Fujifilm

24. HII's first actual knowledge that Fujifilm makes, uses and/or sells LCD Products in the United States and/or imports LCD Products into the United States.

25. HII's first actual knowledge of any product Fujifilm makes, uses, sells and/or imports into the United States that HII alleges infringes the '371 patent.

26. All efforts by HII to investigate whether Fujifilm's LCD products infringe the '371 patent.

27. HII's first notification to, and all consideration given by HII at any time to notifying, Fujifilm of alleged infringement of the '371 patent.

28. All of the reasons or excuses why HII did not bring suit against Fujifilm prior to October 7, 2004.

29. All facts supporting or rebutting Fujifilm's laches defense.

Specific as to Arima Display

30. HII's first actual knowledge that Arima Display makes, uses and/or sells LCD Products in the United States and/or imports LCD Products into the United States.

31. HII's first actual knowledge of any product Arima Display makes, uses, sells and/or imports into the United States that HII alleges infringes the '371 patent.

32. All efforts by HII to investigate whether Arima Display's LCD Products infringe the '371 patent.

33. HII's first notification to, and all consideration given by HII at any time to notifying, Arima Display of alleged infringement of the '371 patent.

34. All of the reasons or excuses why HII did not bring suit against Arima Display prior to November 7, 2005.

35. All facts supporting or rebutting Arima Display's laches defense.

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

CERTIFICATE OF SERVICE

I, David E. Moore, hereby certify that on October 27, 2006, the within document was served via hand delivery and electronic mail and was electronically filed with the Clerk of the Court using CM/ECF which will send notification of such filing(s) to the following and the document is available for viewing and downloading from CM/ECF:

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